



5-6-3

Docket No: AM100120X1

#26138/1600  
Patent  
5/10/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Application of: MARK et al.  
Application No.: 09/425,501      Group Art No.: 1637  
Filed: October 22, 1999      Examiner: CHUNDURU  
For: PABLO, A POLYPEPTIDE THAT INTERACTS WITH BCL-XL  
AND USES RELATED THERETO  
Confirmation No.: 9642  
Customer Number: 25291

**RECEIVED**

MAY 09 2003

Commissioner for Patents  
Washington, DC 20231

TECH CENTER 1600/2900

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS

Applicant hereby appeals to the Board of Appeals from the decision of the Primary Examiner mailed February 5, 2003.

1. REQUEST FOR ORAL HEARING  
☒ An oral hearing is respectfully requested. Pursuant to 37 CFR 1.17(d), the fee is \$280.00.
2. FEE FOR FILING NOTICE OF APPEAL  
Pursuant to 37 CFR 1.17(b), the fee for filing the Notice of Appeal is \$320.00.
3. EXTENSION OF TERM  
The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

**CERTIFICATE OF MAILING 37 CFR §1.10**

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV 239490481 US addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

5/5/03  
Date

*Elizabeth Ruzich*  
Elizabeth Ruzich

05/07/2003 JADD01 00000112 071060 09425501

01 FC:1401 320.00 CH  
02 FC:1403 280.00 CH

- (a) ☐ Applicant petitions for an extension of time for the total number of months checked below.

<input type="checkbox"/>	One Month.	Fee in the amount of	\$	110.00
<input type="checkbox"/>	Two Months.	Fee in the amount of	\$	410.00
<input type="checkbox"/>	Three Months.	Fee in the amount of	\$	930.00
<input type="checkbox"/>	Four Months.	Fee in the amount of	\$	1,450.00
<input type="checkbox"/>	Five Months.	Fee in the amount of	\$	1,970.00

If an additional extension of time is required, please consider this a petition therefor.

**(Check and complete the next item, if applicable)**

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$0.00 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request: \$0.00

- (b) ☒ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. **TOTAL FEE DUE**  
The total fee due is:

Notice of Appeal fee	\$320.00
Extension fee (if any)	0.00
Oral Hearing fee	280.00
<b>TOTAL FEE DUE</b>	<b>\$600.00</b>

5. **FEE PAYMENT**

Charge fee to Deposit Account No. 07-1060. A duplicate of this petition is attached.

If any additional extension and/or fee is required, charge Account No. 07-1060.

  
\_\_\_\_\_  
Gavin Bogle

Limited Recognition Under 37 C.F.R. §10.9(b)

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